



January 26, 2007

## SENATE BILL No. 334

DIGEST OF SB 334 (Updated January 25, 2007 10:20 am - DI 110)

**Citations Affected:** IC 32-21.

**Synopsis:** Restrictive covenants regarding modular homes. Provides that a deed restriction, restrictive covenant, or agreement recorded after June 30, 2007, may not prohibit or restrict the erection of an industrialized residential structure on real property. Provides that a deed restriction, restrictive covenant, or agreement that applies uniformly to all homes and industrialized residential structures in a subdivision may impose aesthetic compatibility requirements on an industrialized residential structure in the subdivision.

**Effective:** July 1, 2007.

**Riegsecker**

January 11, 2007, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.  
January 25, 2007, amended, reported favorably — Do Pass.

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SB 334—LS 7347/DI 87+



January 26, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## SENATE BILL No. 334

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A BILL FOR AN ACT to amend the Indiana Code concerning property.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 32-21-12 IS ADDED TO THE INDIANA CODE  
2       AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2007]:

4       **Chapter 12. Deed Restrictions Regarding Industrialized**  
5       **Residential Structures**

6       **Sec. 1. As used in this chapter, "industrialized residential**  
7       **structure" means a structure that is:**

8           (1) an industrialized building system (as defined in  
9           IC 22-12-1-14) certified under IC 22-15-4-1; and

10          (2) a Class 2 structure (as defined in IC 22-12-1-5(a)(1));  
11       **intended for placement on a permanent foundation.**

12       **Sec. 2. This chapter applies only to deed restrictions, restrictive**  
13       **covenants, or agreements that are recorded after June 30, 2007.**

14       **Sec. 3. Except as provided in section 4 of this chapter, a deed**  
15       **restriction, restrictive covenant, or agreement may not prohibit or**  
16       **restrict the erection of an industrialized residential structure on**  
17       **real property.**

SB 334—LS 7347/DI 87+



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1       **Sec. 4. A deed restriction, restrictive covenant, or agreement**  
2       **that applies uniformly to all homes and industrialized residential**  
3       **structures in a subdivision may impose aesthetic compatibility**  
4       **requirements on an industrialized residential structure in the**  
5       **subdivision.**

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## COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred Senate Bill No. 334, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 3, delete "reasonable".

and when so amended that said bill do pass.

(Reference is to SB 334 as introduced.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 8, Nays 2.

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